

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORTON MCNAUGHTON OF SQUIRE, INC.,
JONES APPAREL GROUP, INC.,

Plaintiffs

- against -

M/V MARGRETHE MAERSK, in rem, Maersk
Line, Maersk Sealand,

Defendants.

Civil Action No. 07-CV-3716
(RWS)

**CERTIFICATION OF
JAMES W. CARBIN, ESQ.
IN SUPPORT OF PLAINTIFFS
CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT AND IN
OPPOSITION TO DEFENDANTS
MOTION FOR SUMMARY
JUDGMENT**

I, JAMES W. CARBIN, ESQ., of full age, hereby certify and state as follows:

1. I am an Attorney at Law, admitted to the United States District Court for the Southern District of New York in the above-captioned matter, and am a member of the law firm of Duane Morris LLP, counsel for Plaintiffs NORTON MCNAUGHTON OF SQUIRE, INC. and JONES APPAREL GROUP, INC. in the captioned action ("Plaintiffs" collectively and "Norton" and "Jones" individually).
2. I make this Certification in support of Plaintiffs' Cross-Motion for Partial Summary Judgment and in Opposition to Defendants M/V MARGRETHE MAERSK, in rem, Maersk Line, Maersk Sealand ("Defendants" or "Maersk") Motion for Partial Summary Judgment in the captioned action.
3. The documents attached hereto consist of either documents that have been exchanged by the parties hereto in this litigation or publicly available documents.

4. Attached hereto as Exhibit 1 is Invoice No. PYL-019/05-06, dated April 12, 2005, from Norton McNaughton of Squire, Inc. ("Norton") for PYL Apparel Limited ("PYL"), which was produced by Plaintiffs in this litigation..

5. Attached hereto as Exhibit 2 is a page printed out from Maersk's website.

6. Attached hereto as Exhibit 3 is Bill of Lading Number MAEU 501016075 issued by Maersk, April 12, 2005.

7. Attached hereto as Exhibit 4 are relevant pages from a final survey prepared by Plaintiffs' surveyors Norfolk Maritime Surveyors, Inc., dated June 2, 2006, which was produced by Plaintiffs in this litigation.

8. Attached hereto as Exhibit 5 are copies of photographs of the garment subject of this litigation, taken by Norfolk Maritime Surveyors.

9. Attached hereto as Exhibit 6 is the packing list for Container Number MAEU6000176, which was produced by Plaintiffs in this litigation.

10. Attached hereto as Exhibit 7 is the packing list for Container Number MSKU6058710, which was produced by Plaintiffs in this litigation.

11. Attached hereto as Exhibit 8 is National Marine Consultants, Inc., Preliminary Report, which was produced by Maersk in this litigation.

12. Attached hereto as Exhibit 9 is National Marine Consultants, Inc., Final Report of Survey, which was produced by Maersk in this litigation.

13. Attached hereto as Exhibit 10 is Defendants Response to Plaintiffs' Request for Admissions.

14. Attached hereto as Exhibit 11 is EMSL Laboratory Report, Source of Odor Identification, which was produced by Plaintiffs in this litigation.

15. Attached hereto as Exhibit 12 are documents produced by Plaintiffs in this litigation in connection with the destruction of the contaminated ladies garments.



JAMES W. CARBIN (JC-5004)

Dated: November 19, 2007